



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

United States of America,

—v—

Ralph Berry, *et al.*,

Defendants.

20-cr-84 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

A status conference in this matter is scheduled for December 9, 2020 at 11:00 a.m. In light of the COVID-19 pandemic, the Court will not be conducting any in-person proceedings until 2021. By November 30, 2020, defense counsel should respond to the following question:

- 1) If an in-court proceeding is unavailable, do Defendants consent to proceed with a teleconference proceeding?

If Defendants consent to proceed by teleconference, please complete and submit the written consent form attached to this Order. Defense counsel may sign on a Defendant's behalf if authorized by that Defendant to do so. If either Defendant does not consent to proceed by teleconference, the Court may adjourn the status conference to a later date.

SO ORDERED.

Dated: November 20, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

ALISON J. NATHAN  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

-v-

**WAIVER OF RIGHT TO BE PRESENT AT  
CRIMINAL PROCEEDING**

**20-cr-84 (AJN)**

Defendant.

-----X

**Check Proceeding that Applies**

\_\_\_\_\_ Conference

I have been charged in an indictment with violations of federal law. I understand that I have a right to be present at all conferences concerning this indictment that are held by a judge in the Southern District of New York, unless the conference involves only a question of law. I understand that at these conferences the judge may, among other things, 1) set a schedule for the case including the date at which the trial will be held, and 2) determine whether, under the Speedy Trial Act, certain periods of time should be properly excluded in setting the time by which the trial must occur. I have discussed these issues with my attorney and wish to give up my right to be present at the conferences. By signing this document, I wish to advise the court that I willingly give up my right to be present at the conferences in my case for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney be permitted to represent my interests at the proceedings even though I will not be present.

Date:

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the charges contained in the indictment, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held in my client's absence. I will inform my client of what transpires at the proceedings and provide my client with a copy of the transcript of the proceedings, if requested.

Date:

\_\_\_\_\_  
Signature of Defense Counsel

\_\_\_\_\_  
Print Name

**Addendum for a defendant who requires services of an interpreter:**

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is:

\_\_\_\_\_.

Date:

\_\_\_\_\_  
Signature of Defense Counsel

**Accepted:**

\_\_\_\_\_  
Signature of Judge  
Date: